

REMARKS

Claims 1-12 are currently pending in the application. Claim 1 has been amended to correct a typographical error. New claims 11-12 have been added. Applicant respectfully submits that no new matter has been added. Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and the following remarks.

Claims 1-8 and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,577,861 to Ogasawara ("Ogasawara"). Ogasawara relates to an electronic shopping system that facilitates purchase transactions via a wireless telephone. Applicant respectfully submits that Ogasawara fails to teach or suggest at least one of the distinguishing features of independent claim 1, namely, a processing device having an input operatively coupled to a microphone, wherein the processing device is operatively coupled to a reading device such that a second electric signal from the reading device may be received at the input of the processing device.

Ogasawara discloses a wireless telephone including call processing software, a RF synthesizer, a mixer, a fixed oscillator, a duplexer and an antenna. A transmitter includes an analog-to-digital converter, a speech coder, a modulator and a radio frequency amplifier. An electronic shopping section which is added to the wireless telephone comprises program loader, loaded program and a bar code scanner optimally connected to the wireless telephone via external input/output port. The data path from a channel decoder to a microprocessor accommodates the communication of data from a server to the microprocessor of the wireless telephone. The data path from the analog-to-digital converter to a microprocessor accommodates the communication of voice data from the microphone to the loaded program.

In contrast to claim 1, there is no teaching or suggestion by Ogasawara of a processing device having an input operatively coupled to a microphone, wherein the processing device is

operatively coupled to a reading device such that a second electric signal from the reading device may be received at the input of the processing device. In Ogasawara, a data path from a microphone and a data path from a bar code scanner are not received at the same input. In Ogasawara, the data path from the microphone is received at an input of a transmitter, while the data path from the bar code scanner is received at an input of a microprocessor. Applicant respectfully submits that claim 1 distinguishes over Ogasawara and is in condition for allowance. Withdrawal of the rejection of claim 1 as anticipated by Ogasawara is respectfully requested.

Dependent claims 2-8 and 10 depend from and further restrict independent claim 1 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 1, dependent claims 2-8 and 10 distinguish over Ogasawara and are in condition for allowance. Withdrawal of the rejection of dependent claims 2-10 is respectfully requested.

In addition, Applicant respectfully submits that Ogasawara fails to teach or suggest at least one of the distinguishing features of dependent claim 2, namely, a switching device having a first input coupled to a microphone, a second input coupled to a reading device, an output coupled to a processing device, and a control input for selecting whether a first or a second electric signal is to be forwarded to the processing device. In Ogasawara, a data path from a microphone is received at an input of a transmitter, while a data path from a bar code scanner is received at an input of a microprocessor. Applicant respectfully submits that dependent claim 2 also distinguishes over Ogasawara and is in condition for allowance. Withdrawal of the rejection of claim 2 as anticipated by Ogasawara is respectfully requested.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ogasawara in view of U.S. Patent No. 5,604,640 to Zipf et al. ("Zipf").

Dependent claim 9 depends from and further restricts independent claim 1 in a patentable sense. Zipf fails to cure the deficiencies of Ogasawara noted above. Applicant respectfully submits that dependent claim 9 distinguishes over Ogasawara in view of Zipf and is in condition for allowance. Withdrawal of the rejection of dependent claim 9 is respectfully requested.

New added independent claims 11-12 are also believed to be allowable over the art of record. Allowance of the newly-added claims 11-12 is respectfully requested.

In view of the above, each of the presently-pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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